THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.19370 OF 2003

&

CONTEMPT CASE No.587 OF 2004

DATED:04-04-2006

WP.No.19370 of 2003

BETWEEN

Sri. Venugopala Swamy Temple,

At Pellur (V), Ongole (Mandal),

Prakasam District, rep. by the

Person-in-Management

Sri P. Venkata Rao and another.

...PETITIONERS

AND

The Land Acquisition Officer and

Revenue Divisional Officer, Ongole,

Prakasam District and others.

...RESPONDENTS

C.C.No.587 of 2004

BETWEEN

Sri. Venugopala Swamy Temple,

At Pellur (V), Ongole (Mandal),

Prakasam District, rep. by the

Person-in-Management

Sri P. Venkata Rao and another.

…PETITIONERS

AND

Sri Viswanath

Commissioner,

Ongole Municipality,
Prakasam District.

…RESPONDENT

COMMON ORDER:

None appears for the petitioners.

The writ petition has been filed by Sri Venugopala Swamy Temple and Sri Moolasthaneshwara Swamy Temple to declare the action of the Land Acquisition Officer, the Revenue Divisional Officer and the Municipal Commissioner, Ongole, Prakasam District in taking possession of the lands belonging to the petitioners to an extent of Ac.99.40 cents situated at Pellur Village, Ongole Mandal, Prakasam District for construction of second Summer Storage Tank without initiating land acquisition proceedings and without paying compensation by passing the award as illegal and arbitrary. This Court by order dated 15.09.2003 in WPMP.No.24297 of 2003 directed to maintain status quo existing as on that date.

Learned counsel for the respondents passed on a letter in Roc.No.4598/2000-G1 dated 03.10.2005 stating that the Land Acquisition Proceedings have been initiated and an amount of Rs.80,49,467/- is to be paid to the petitioners, out of which an amount of Rs.59,88,000/- has already been paid to the petitioners and the remaining balance amount of Rs.20,61,467/- shall be paid shortly and the matter has also been reported to the District

Collector and the Revenue Divisional Officer, Ongole. However, no counter has been filed on behalf of the first respondent.

As the land acquisition proceedings have been initiated and compensation is being paid to the petitioners, as per the aforesaid letter, the writ petition is dismissed and the contempt case is closed. However, if there is any delay in the payment of compensation or land acquisition proceedings it is open for the petitioners to file a fresh writ petition.

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V. ESWARAIAH, J

April 4, 2006

DSK